

Message Text

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TO USMISSION GENEVA IMMEDIATE

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TAGS: SHUM

SUBJECT: HUMAN RIGHTS LEGISLATION

REF: GENEVA 6642

1. THREE RECENTLY PASSED LAWS CONTAIN RESTRICTIONS ON THE PROVISION OF SECURITY ASSISTANCE TO GOVERNMENTS WHICH ENGAGE IN QUOTE A CONSISTENT PATTERN OF GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS. UNQUOTE

2. THE INTERNATIONAL DEVELOPMENT AND FOOD ASSISTANCE ACT OF 1975, PL 94-161 OF DECEMBER 20, 1975 (AID AUTHORIZING LEGISLATION) AMENDS 1961 FOREIGN ASSISTANCE ACT BY ADDING HUMAN RIGHTS PROVISIONS IN SECTION 116. SECTION STATES THAT QUOTE NO ASSISTANCE MAY BE PROVIDED...TO THE GOVERNMENT OF UNCLASSIFIED

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ANY COUNTRY WHICH ENGAGES IN A CONSISTENT PATTERN OF GROSS

VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS...
UNLESS SUCH ASSISTANCE WILL DIRECTLY BENEFIT THE NEEDY
PEOPLE IN SUCH COUNTRY. UNQUOTE

3. AUTHORIZING LEGISLATION FOR U.S. PARTICIPATION IN THE
INTER-AMERICAN DEVELOPMENT BANK AND AFRICAN DEVELOPMENT FUND
(P.L. 94-302 OF MAY 31, 1976) CONTAINS SIMILAR PROVISIONS.
SECTION 28 IN TITLE 1 (INTER-AMERICAN DEVELOPMENT BANK)

STATES THAT QUOTE THE U.S. EXECUTIVE DIRECTOR OF THE BANK
IS AUTHORIZED AND DIRECTED TO VOTE AGAINST ANY LOAN, ANY
EXTENSION OF FINANCIAL ASSISTANCE, OR ANY TECHNICAL ASSIST-
ANCE TO ANY COUNTRY WHICH ENGAGES IN A CONSISTENT PATTERN
OF GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN
RIGHTS...UNLESS SUCH ASSISTANCE WILL DIRECTLY BENEFIT THE
NEEDY PEOPLE IN SUCH COUNTRY. UNQUOTE. SECTION 211 OF
TITLE 2 (AFRICAN DEVELOPMENT FUND) IS A PARALLEL PROVISION
EXCEPT THAT AMONG THE EXAMPLES OF HUMAN RIGHTS VIOLATIONS
SECTION ADDS QUOTE REFUGE TO INDIVIDUALS COMMITTING ACTS
OF INTERNATIONAL TERRORISM SUCH AS HIJACKING OF AN AIR-
CRAFT. UNQUOTE.

4. OF THE THREE ACTS INTERNATIONAL SECURITY ASSISTANCE
AND ARMS EXPORT CONTROL ACT OF 1976 (P.L. 94-329 OF JUNE
30, 1976) CONTAINS MOST EXTENSIVE PROVISIONS ON U.S.
POLICIES WITH RESPECT TO HUMAN RIGHTS, REPORTING TO CON-
GRESS AND THE ESTABLISHMENT IN THE DEPARTMENT OF A
COORDINATOR FOR HUMAN RIGHTS AND HUMANITARIAN AFFAIRS.
BILL ALSO TREATS DISCRIMINATION BY FOREIGN GOVERNMENTS
AGAINST U.S. PERSONS ENGAGED IN PROVISION OF SECURITY
ASSISTANCE. STATE AIRGRAM 3590, JULY 20, 1976, CONTAINING
RUN-DOWN OF PRINCIPAL PROVISIONS OF ACT, WAS SENT TO ALL
DIPLOMATIC POSTS. DISCUSSION OF HUMAN RIGHTS AND DISCRIMI-
NATION PROVISIONS IS ON PAGES 10 TO 12. TELEGRAMS CONTAIN-
ING ADDITIONAL GUIDELINES ON ACT'S HUMAN RIGHTS AND
DISCRIMINATION PROVISIONS ARE CURRENTLY IN CLEARANCE
PROCESS. HABIB

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